

114TH CONGRESS  
1ST SESSION

# H. R. 2031

To amend the Communications Act of 1934 to provide for enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent to trigger a response by a law enforcement agency.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2015

Mr. ENGEL (for himself, Mr. DESJARLAIS, Ms. CLARK of Massachusetts, and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Communications Act of 1934 to provide for enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent to trigger a response by a law enforcement agency.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Swatting Act of  
5 2015”.

1 **SEC. 2. TRANSMISSION OF MISLEADING OR INACCURATE**  
2 **CALLER ID INFORMATION WITH INTENT TO**  
3 **TRIGGER LAW ENFORCEMENT RESPONSE.**

4 Section 227(e)(5) of the Communications Act of  
5 1934 (47 U.S.C. 227(e)(5)) is amended—

6 (1) in subparagraph (B), by striking “Any per-  
7 son” and inserting “Except as provided in subpara-  
8 graph (C), any person”; and

9 (2) by adding at the end the following:

10 “(C) ENHANCED PENALTIES FOR VIOLA-  
11 TION WITH INTENT TO TRIGGER LAW ENFORCE-  
12 MENT RESPONSE.—

13 “(i) CRIMINAL VIOLATION.—Any per-  
14 son who violates this subsection with the  
15 intent to trigger a response by a law en-  
16 forcement agency in the absence of cir-  
17 cumstances requiring such a response  
18 shall—

19 “(I) be fined under title 18,  
20 United States Code, or imprisoned not  
21 more than 5 years, or both; or

22 “(II) if serious bodily injury re-  
23 sults, be fined under title 18, United  
24 States Code, or imprisoned not more  
25 than 20 years, or both.

26 “(ii) REIMBURSEMENT.—

1           “(I) IN GENERAL.—The court, in  
2 imposing a sentence on a defendant  
3 who has been convicted of an offense  
4 under clause (i), shall order the de-  
5 fendant to reimburse any entity de-  
6 scribed in subclause (II) that incurs  
7 expenses in making or incident to the  
8 response described in clause (i) for  
9 such expenses.

10           “(II) ENTITY DESCRIBED.—An  
11 entity is described in this subclause if  
12 the entity is—

13           “(aa) a law enforcement  
14 agency of the United States, a  
15 State, or a political subdivision of  
16 a State; or

17           “(bb) an agency of the  
18 United States, a State, or a polit-  
19 ical subdivision of a State, or a  
20 private not-for-profit organiza-  
21 tion, that provides fire, rescue, or  
22 emergency medical services.

23           “(III) LIABILITY.—A person or-  
24 dered to make reimbursement under  
25 this clause shall be jointly and sever-

1                   ally liable for such expenses with each  
2                   other person, if any, who is ordered to  
3                   make reimbursement under this clause  
4                   for the same expenses.

5                   “(IV) CIVIL JUDGMENT.—An  
6                   order of reimbursement under this  
7                   clause shall, for the purposes of en-  
8                   forcement, be treated as a civil judg-  
9                   ment.”.

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